

# **EXHIBIT D**

The Kingdom of Saudi Arabia has decided to help Republic of Bosnia and Hercegovina with donation in amount of 3.00.00 KM which would be used for supplying equipment, materials and spare parts for reconstruction of train trails Pazaric- Ploce ( 169 km ) and according to public invitation, and with Republic Bosnia and Hercegovina on the date 17/03/1995 sign:

## DONATION AGREEMENT

### Article 1

#### AGREEMENT SIDES

The Kingdom of Saudi Arabia which is represented by the Saudi High Commission Relief for Bih, the authorized representative of Saudi High Commission for Europe is the main manager Sheiikh Nasser Al Saeed- in further text the DONATOR.

Republic of Bosnia and Hercegovina which is represented by the Government of Federation of Bosnia and Hercegovina, Ministry of traffic and communications, the authorazied representative is minister mr. Ibrahim Koluder- in the further text – DONATION USER

### Article 2

#### AGREEMENT SUBJECT

Agreement subject is supplement of equipment, materials and spare parts according to the public invitation, and in harmony with conditions and content of seven projects programmes which are the part of this Agreement.

### Article3

#### WAY OF REALISATION

Agreement sides have agreed to form mutual commission which would perform as supervisors and technical-financial control for realization of this donation with works according to the description:

- control of all phases and details in implementation of the project
- supervision of all agreement
- approval of all paying
- approval of the most favorable bidder

Agreement sides have agreed that the holder of the technical management and technical service works would be ZBH- "Zeljeznica Bosne i Hercegovine" "Bosnia and Hercegovina Railway" according to the description :

- develop public invitation
- announce the auction
- collect the offers
- analyze the offers and suggest the most favorable bidder
- give the suggestion of the Agreement text and deliver currently reports to mutual commission

#### Article 4

##### AGREEMENT VALUE

Agreement value will be defined after the announcement of auction which means after the mutual commission agree about the most favorable bidder.

Mutual commission will develop financial dynamics of Agreement realization, which according to the decision of the mutual commission will follow some of the business banks from Republic of Bosnia and Hercegovina ( Sarajevo).

#### Article 5

##### AGREEMENT FORM

Donation user gives some benefits in train transport of goods according to the request and needs of the donator.

Agreement sides have agreed that the mutual commission has the authority to state precisely all other rights and obligations according to the Agreement, which will be regulated by its annexs

THE DONATOR

SAUDI HIGH COMMISSION

DONATION USER

MINISTRY OF TRAFFIC AND  
COMMUNICATIONS

Kraljevina Saudijske Arabije je odlučila da pomogne Republiku Bosnu i Hercegovinu sa donacijom u okvirnom iznosu od 3.000.000 DM koja će biti upotrijebljena za nabavku opreme, materijala i rezervnih dijelova u okviru obnove željezničke pruge Pazarić - Ploče (169 km) a prema programskom elaboratu - tenderu, te sa Vladom Republike Bosne i Hercegovine dana 17.03.1995 godine potpisuju:

#### UGOVOR O DONACIJI

##### Član 1

##### UGOVORNE STRANE

Kraljevina Saudijska Arabija koju zastupa Visoki Saudijski Komitet za pomoć Bosni i Hercegovini, ovlaštenu predstavnik Visokog Saudijskog Komiteta za Evropu - direktor Šeik Nasser Al Said - u daljem tekstu DONATOR.

Republika Bosna i Hercegovina koju zastupa u ime Vlade R/F BiH Ministarstvo prometa i komunikacija, ovlaštenu predstavnik ministar g. Ibrahim KOLUDER - u daljem tekstu KORISNIK DONACIJE.

##### Član 2

##### PREDMET UGOVORA

Predmet ugovora je nabavka opreme, materijala i rezervnih dijelova prema programskom elaboratu - tenderu, a u skladu sa uslovima i sadržajem sedam programskih projekata koji čine sastavni dio ovog ugovora.

Član 3  
NAČIN REALIZACIJE

Ugovorne strane su se sporazumjele da formiraju zajedničku komisiju koja će obavljati poslove supervizora i tehničko-finansijske kontrole realizacije ove donacije sa poslovima prema opisu:

- kontrola svih faza i svih detalja u implementaciji projekta,
- supervizija svih ugovora,
- odobravanje svih plaćanja,
- odobravanje najpovoljnijeg ponudjača - isporučioća,

Ugovorne strane su se sporazumjele da će nosilac tehničkog menadžmenta i tehničko-servisnih poslova biti ŽBH - Željeznice Bosne i Hercegovine prema opisu kako slijedi:

- razrada programskog elaborata - tendera
- raspisuje licitacije
- prikuplja ponude
- analizira ponude i predlaže najpovoljnijeg ponudjača - isporučioća
- daje prijedlog teksta ugovora i po ovlaštenju zajedničke komisije potpisuje ugovore
- vrši realizaciju po ugovoru i dostavlja redovno izvještaje zajedničkoj komisiji

Član 4  
VRIJEDNOST UGOVORA

Vrijednost ugovora će biti definisana nakon obavljene licitacije odnosno odabira najpovoljnijeg ponudjača - isporučioća po dobivenoj saglasnosti zajedničke komisije.

Zajednička komisija će izraditi finansijsku dinamiku realizacije ugovora, koji će prema odluci zajedničke komisije pratiti neka od poslovnih banaka iz Republike Bosne i Hercegovine (Sarajeva).

Član 4  
ZAVRŠNE ODREDBE

Korisnik Donacije daje povlastice u željezničkom transportu roba prema zahtjevu i potrebama Donatora.

Ugovorne strane su saglasne da zajednička komisija ima ovlaštenje za preciziranje svih ostalih prava i obaveza prema ovom ugovoru, što će biti regulisano njegovim Aneksima.

ZA DONATORA

VISOKI SAUDIJSKI KOMITET



ZA KORISNIKA DONACIJE

MINISTARSTVO PROMETA I  
KOMUNIKACIJA

